

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**SANDRA PERKINS, PATRICIA
BERES, JAYME EEMAN, and
CYNTHIA JOHNSON-LANOHA,**

Plaintiffs,

v.

**THE FUNNY BONE COMEDY CLUB
OF OMAHA, INC.,**

Defendant.

CASE NO. 8:06CV44

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Motion in Limine (Filing No. 119) filed by the Plaintiffs, Sandra Perkins, Patricia Beres, Jayme Eeman, and Cynthia Johnson-Lanoha ("Plaintiffs"). The Plaintiffs seek to prevent the Defendant, The Funny Bone Comedy Club of Omaha, Inc. ("Funny Bone") from using certain evidence at trial: (1) evidence or testimony related to the Plaintiffs' criminal records and criminal charges; (2) evidence or testimony concerning the Plaintiffs' financial or credit histories, prior marriages, or involvement in other lawsuits which include, but are not limited to, collections, dissolutions, and bankruptcies; and (3) evidence and testimony of Dr. Joedy Istas.

First, the Plaintiffs argue that evidence of criminal records and criminal charges is irrelevant, unfairly prejudicial, and not admissible under Rule 609 of the Federal Rules of Evidence. Second, the Plaintiffs argue that credit histories, prior marriages, and involvement in other lawsuits are irrelevant and unfairly prejudicial. Finally, the Plaintiffs argue that testimony by Dr. Joedy Istas, a treating physician of Plaintiff Sandra Perkins, should be excluded from trial because the Funny Bone has not designated Dr. Istas as an expert pursuant to Federal Rule of Civil Procedure 26(2). The Defendant has not filed any

brief opposing the Plaintiffs' motion.

IT IS ORDERED:

The Motion in Limine filed by the Plaintiffs Sandra Perkins, Patricia Beres, Jayme Eeman, and Cynthia Johnson-Lanoha (Filing No. 119) is granted.

Dated this 6th day of June, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge